

REGISTRY OF ELECTION FINANCE

The Registry of Election Finance met Wednesday, January 8, 2014, at Suite 104 of Parkway Towers, 404 James Robertson Parkway, Nashville, Tennessee.

Presiding over the meeting was Secretary Patricia Heim. Attending the meeting were board members Norma Lester, Darlene McNeece and Justin Pitt.

Election of Officers

A motion was made by McNeece, seconded by Pitt, to name Patricia Heim as chairperson. A motion was made by McNeece, seconded by Pitt, to name Norma Lester as secretary for 2014 by acclamation.

Approval of Meeting Minutes

On motion by McNeece, seconded by Pitt, the board voted unanimously to approve the minutes from the November 13, 2013 regular board meeting with the addition of the reconsideration vote in the matter of Ryan Harring Case No. 13-19.

Requests for Reconsideration

02-40 Berlin Boyd, for failure to file a 2002 pre-primary campaign financial disclosure report. Class two (2), maximum ten thousand (\$10,000) civil penalty. Mr. Boyd has had previous matters before the board.

The Registry has received no response to the show cause notice and the report still has not been filed.

The board voted at its October 9, 2002 meeting to assess Mr. Boyd a \$10,000 civil penalty. Mr. Boyd requested a reconsideration of the \$10,000 civil penalty assessment.

Mr. Boyd filed the required report (filed on April 4, 2003) and submitted a statement for the board's consideration.

A motion was made by Heim, seconded by Lester, to reconsider the \$10,000 civil penalty assessment. The motion to reconsider failed the board 1 to 3 with Heim, McNeece and Pitt voting "no."

02-48 Berlin Boyd, for failure to file a 2002 post-primary campaign financial disclosure report. Class two (2), no report filed, maximum ten thousand (\$10,000) civil penalty. Mr. Boyd has had previous matters before the board.

The board voted at its December 11, 2002 meeting to assess Mr. Boyd a \$10,000 civil penalty. Mr. Boyd requested a reconsideration of the \$10,000 civil penalty assessment.

Mr. Boyd filed the required report (filed on April 4, 2003) and submitted a statement for the board's consideration.

A motion was made by Heim, seconded by Lester, to reconsider the \$10,000 civil penalty assessment. The motion to reconsider failed the board 1 to 3 with Heim, McNeece and Pitt voting “no.”

Show Cause Hearing

C13-08 Richard Huffman, for possible violation of T.C.A. §2-10-108(d) regarding the filing of a sworn complaint. Class two (2), maximum ten thousand (\$10,000) civil penalty.

The board voted at its November 13, 2013 meeting to issue Mr. Huffman a show cause notice.

Mr. Huffman submitted a sworn statement for the board’s consideration.

On motion by Pitt, seconded by Lester, the board voted unanimously to assess Mr. Huffman a \$100 civil penalty.

Cases Subject to Approval of Civil Penalty Order

13-70 Tommie Brown, for failure to file a 2013 mid-year supplemental campaign financial disclosure report. Class two (2), no report filed, maximum ten thousand (\$10,000) civil penalty. Ms. Brown has had previous matters before the board.

The board voted at its October 9, 2013 meeting to issue Ms. Brown a show cause notice.

The board voted at its November 13, 2013 meeting to delay any further action in this matter until the next regularly scheduled meeting.

Director Rawlins informed the board that Ms. Brown closed out her campaign account on her 4th quarter report and therefore does not owe a mid-year supplemental report.

On motion by Pitt, seconded by McNeece, the board voted unanimously to take no further action in this matter.

13-73 Bobby Scott, for failure to file a 2013 mid-year supplemental campaign financial disclosure report. Class two (2), no report filed, maximum ten thousand (\$10,000) civil penalty. Mr. Scott has had previous matters before the board.

The board voted at its October 9, 2013 meeting to issue Mr. Scott a show cause notice.

Director Rawlins informed the board that there has been no response to the show cause notice and that the report still has not been filed.

On motion by Pitt, seconded by McNeece, the board voted unanimously to assess Mr. Scott a \$10,000 civil penalty.

13-75 James Tapp, for failure to file a 2013 mid-year supplemental campaign financial disclosure report. Class two (2), no report filed, maximum ten thousand (\$10,000) civil penalty. Mr. Tapp has had no previous matters before the board.

Director Rawlins informed the board that Registry staff spoke with Mr. Tapp’s family and that they were informed that Mr. Tapp now resides in the nursing home and that his campaign bank account has been closed.

On motion by Lester, seconded by Pitt, the board voted unanimously to take no further action in this matter.

13-76 American Party, for failure to file a 2013 mid-year supplemental campaign financial disclosure report. Class two (2), no report filed, maximum ten thousand (\$10,000) civil penalty. The organization has had a previous matter before the board.

The board voted at its October 9, 2013 meeting to issue the organization a show cause notice.

Director Rawlins informed the board that there has been no response to the show cause notice and that the report still has not been filed.

On motion by Pitt, seconded by McNeece, the board voted unanimously to assess the organization a \$10,000 civil penalty.

13-82 Joe Towns, Jr., for failure to timely file a 2013 mid-year supplemental campaign financial disclosure report. Class two (2), 58 days late, maximum ten thousand (\$10,000) civil penalty. Rep. Towns has had previous matters before the board.

The board voted at its November 13, 2013 meeting to issue Rep. Towns a show cause notice.

Rep. Towns filed the required report and submitted a statement for the board's consideration.

A motion was made by McNeece to assess Rep. Towns a \$5,000 civil penalty. McNeece then amended the motion to assess Rep. Towns a \$2,000 civil penalty. The amended motion by McNeece, seconded by Lester, to assess Rep. Towns a \$2,000 civil penalty assessment passed the board unanimously.

Sworn Complaint

Jim Tracy

Director Rawlins provided the board with a sworn complaint filed with the Registry from James R. Moore against Jim Tracy.

Rachel Barrett, representative for Sen. Tracy, personally appeared before the board.

On motion by Pitt, seconded by Lester, the board voted unanimously dismiss the complaint.

Cases Considered for Issuance of Show Cause Notice

Clifford Lewis, for failure to timely file a 2013 pre-primary campaign financial disclosure report. Class one (1), 25 days late, maximum six hundred twenty-five (\$625) civil penalty. Mr. Lewis has had no previous matters before the board.

On motion by McNeece, seconded by Pitt, the board voted unanimously to issue a show cause notice.

Other Business

Without objection, the board voted unanimously to schedule the next Registry meeting for March 12, 2014.

On motion by Lester, seconded by McNeece, the board voted unanimously to adjourn the meeting until the next regularly scheduled meeting.